

Applicants : Timothy P. Coffield et al.
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REMARKS

Applicants respectfully request reconsideration of the application identified above. Claims 1, 3-8 and 10-15 are pending, claims 2 and 9 cancelled, and claims 1, 3-5, 8, 10-13, and 15 are amended. Claims 16-32 are withdrawn as being directed to non-elected inventions. Applicants respectfully traverse the rejections as conceivably applied to the pending claims.

I. Allowable Subject Matter

Applicants thank Examiner Compton for the statement that claims 2-7, and 9-15 would be allowable if rewritten to (a) include all of the limitations of the base claim and any intervening claims and (b) overcome the Section 112 rejections. Claims 1 is amended to include the subject matter of claim 2. Claims 3-7 depend directly or indirectly from amended claim 1. Likewise, claims 8 is amended to include the subject matter of claim 9. Claims 10-15 depend directly or indirectly from amended claim 8. The rejections under Section 112 are addressed below. Applicants respectfully submit that these amended claims present allowable subject matter in allowable form.

II. Non-Art Rejections/Objections

A. Section 112 Rejections

As originally presented, claims 6 and 7 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as their invention. Specifically, it is asserted that the language in claim 1, which recites "... producing an outer ring; attaching a segment of load bearing fabric to the outer ring..." creates a limitation that the outer ring is produced prior to the attaching step,

rather than simultaneously with the attaching step. It is asserted that this results in an inconsistency with claims 6 and 7, which recite that the two steps occur essentially simultaneously.

Applicants respectfully submit that claim 1 is not limited to any specific order to the step of producing the outer ring and the step of attaching a segment of load bearing fabric to the outer ring. It is well settled law that unless the literal language or physical constraints of the process claim dictate otherwise, the steps of the claim have no required order of performance. See, Mantech Environmental Corp. v. Hudson Environmental Services, Inc., 152 F.2d 1368, 1375-76 (Fed. Cir. 1998). Here, it is respectfully submitted that the claim language and the specification make it clear that the order of performance of these steps is not intended to be a limitation in claim 1. The language of claim 1 does not specifically express any sequential order to these steps. The specification clearly indicates that the load bearing fabric need not be secured to the ring after the ring is produced. Rather, the specification expressly describes an attachment process in which the load bearing fabric is attached to the outer ring during molding (or production) of the outer ring. In fact, the illustrated embodiment is one in which the load bearing fabric is attached to the ring as the ring is being produced (see Figs. 18-20). Further, the language of claim 6 recites simultaneously producing an outer ring and attaching a segment of load bearing fabric to the outer ring. This clearly indicates that claim 1 should not be interpreted to require any particular order to the steps. Consequently, Applicants respectfully traverse the rejection and respectfully assert that there is no conflict between claims 6 and claim 1 because claim 1 does not require the steps to occur in any specific order.

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Applicants have amended claim 15, as suggested by Examiner, to provide sufficient antecedent basis for the phrase "a step of molding."

III. Art Rejections

A. Section 102(b) Rejections

As originally presented, independent claim 8 was rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patents 4,451,997 to Jones; as well as to 118,079 to Watkins; 662,647 to Howe; 1,864,477 to Stannard; 4,079,529 to Jennen et al.; and 5, 015,034 to Kidig et al. Claim 8 is amended to include the subject matter of claim 9. It is therefore respectfully submitted that the rejection is overcome and claim 8 is allowable.

B. Section 102(e) Rejections

As originally presented, independent claims 1 and 8 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,378,944 to Weisser. Claim 1 is amended to include the subject matter of claim 2. Therefore, it is respectfully submitted that this rejection is overcome and claim 1 is allowable. Claim 8 is amended to include the subject matter of claim 9. Therefore, it is respectfully submitted that the rejection of claim 8 is overcome and claim 8 is allowable.

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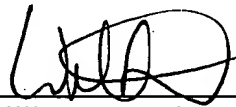
CONCLUSION

In view of the above remarks, Applicants respectfully submit that the present application is in condition for allowance. A notice to that effect is earnestly and respectfully requested.

Respectfully submitted,

TIMOTHY P. COFFIELD ET AL

By: Warner Norcross & Judd LLP



William P. Dani
Registration No. 37,810
900 Fifth Third Center
111 Lyon Street, NW
Grand Rapids, Michigan 49503-2487
(616) 752-2197

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Applicants : Timothy P. Coffield et al
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that the attached Response, Fee Transmittal and Petition for Extension of Time and Extension Fee of \$110 are being deposited with the United States Postal Service as first class mail in an envelope addressed to:


Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on August 5, 2004.

Respectfully submitted,

TIMOTHY P. COFFIELD ET AL

By: Warner Norcross & Judd LLP



William P. Dani
Registration No. 37 810
900 Fifth Third Center
111 Lyon Street, N.W.
Grand Rapids, MI 49503-2487
(616) 752-2197